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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/579,275	05/26/2000	Hideharu Toda	000673	7796

23850 7590 01/25/2006

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WASHINGTON, DC 20006

EXAMINER

LAO, LUN S

ART UNIT	PAPER NUMBER
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2644

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/579,275	TODA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Lun-See Lao	2644	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### *Introduction*

1. This action is response to the amendment filed on 10-04-2005 and claims 1 and 3 have been amended. Claims 1-5 are pending.

### ***Continued Prosecution Application***

2. The request filed on 11-04-2005 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/579,275 is acceptable and a CPA has been established. An action on the CPA follows.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Washikawa (US PAT. 5,838,393) in view of Simpson (US PAT. 5,838,393) and Marshak (US PAT. 4,524,452).

Consider claims 1-2 Washikawa teaches a component selection control system comprising a plurality of signal output components (see fig.3 (11R-14R)) for outputting AV signals including audio signals and/or video signals, at least one signal input component (11P-14P) for receiving the AV signal, and a signal processing control unit

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(22, 31) having connected thereto the signal output components (11R-14R) and the signal input component (11P-14P), the signal processing control unit being operable to process the AV signal delivered from desired one of the signal output components (11R-14R) as required for sound and/or image reproduction and to feed the AV signal delivered from the desired signal output component (11R-14R) to the signal input component (11P-14P), the component selection control system being characterized in that (see col.3 line 10-col.4 line 50). But Washikawa does not teach clearly each of the signal output components has separate and independent on-off switch provided on a signal output line for delivering the AV signal to the signal processing control unit there through, the signal processing control unit having a common input terminal for receiving the AV signal from the desired signal output component, the signal output lines of the signal output components being connected to one another at a point connected to the common input terminal of the signal processing control unit, the on off switches being controllable independently for opening or closing to select one signal output component for feeding its AV signal to the signal processing control unit, wherein when more than one signal input component is selected than more than one switch is turned on and more than one signal input component may be accessed at any given moment in time; and wherein said AV signal delivered from one signal output component can be supplied to said more than one signal input component at the same time by closing said more than one switch.

However, Simpson teaches each of the signal output components (see fig.1, 118) has separate and independent switch (see fig.2, 234) provided on a signal output line

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for delivering the AV signal to the signal processing control unit (see fig.2, (200, 206)) there through, the signal processing control unit (200 and 206) having a common input terminal for receiving the AV signal (216-230) from the desired signal output component (236-242), the signal output lines of the signal output components (236-242) being connected to one another at a point connected to the common input terminal of the signal processing control unit (206), the switches (214, 234) being controllable independently for opening or closing to select one signal output component for feeding its AV signal to the signal processing control unit (200 and 206 and see col.3 line 16- col.4 line 12) and the AV signal delivered from one signal output component (see fig. 2, 234) can be supplied to said more than one signal input component (such as video tape recorder of the video and audio components ) at the same time by closing said more than one switch (practical connect of the video and audio signal simultaneously switch on to the video tape recorder's audio and video components and see col.5 lines 7-21).

Although Simpson does not explicitly disclose sending the output signal to more than one input device at closing more than one on-off switch, (official notice is taken) it was widely known to provide an output of an audio/video source selector to more than one (input device at the same time by closing more than one on-off switch (for example to a television and monitor and VCR). It would have been obvious to one of ordinary skill in the art the invention was made to provide such capability in the system of Simpson to allow a selected source to be sent to a plurality of input device at the same time by closing more than one on-off switch according to this common practice.

Therefore, it would have obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Simpon into Washikawa to improve switching system that enables an operator to select device and have all the signals of the source device automatically provided to the destination device.

On the other hand, Marshak teaches that more than one signal input component (see fig.1, (93,99, 100,94 and 108,96)) is selected (see fig. 1, (31-33, and 53-56)) than more than one switch is turned on and more than one signal input component (see fig.1, (93,99, 100,94 and 108,96)) may be accessed at any given moment in time ( see col.2 line 46-col.3 line 61); wherein the audio signal from the signal output component (21-23, 41-44 and 61-62) can be recorded on a recording medium of at least two signal input components (see fig.1, (93,99, 100,94 and 108,96)) at the same time by closing the on-off switch of said signal input components(see fig.1, (93,99, 100,94 and 108,96)) at the same time and setting said signal input components in a recording mode ( see col.2 line 46-col.3 line 61).

Therefore, it would have obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Marshak into Washikawa as modified by Simpon to provide an improved and more user orientated audio mixer and recording.

Consider claim 2, Washikawa teaches the signal processing control unit (see fig.3, (22, 31)) inherently has a common output terminal for delivering the AV signal to the signal input component (11P-14P), and the common output terminal is connected to a signal input line of the signal input component (11R-14R and see col.4 line 30-col.5 line 60).

Consider claim 3, Washikawa teaches a component selection control system comprising a plurality of signal output components (see fig.3 (11R-14R)) for outputting AV signals including audio signals and/or video signals, a plurality of signal input components (11P-14P) for receiving the AV signal, and a signal processing control unit (22, 31) having connected thereto the signal output components (11R-14R) and the signal input components (11P-14P), the signal processing control unit being operable to process the AV signal delivered from desired one of the signal output components (11R-14R) as required for audio and/or video reproduction and to feed the AV signal delivered from the desired signal output component to desired one or more of the signal input components (11P-14P), the component selection control system being characterized in that (see col.3 line 10-col.5 line 50); but Washikawa does not teach clearly each of the signal output components has a separate and independent switch provided on a signal output line for delivering the AV signal to the signal processing control unit there through, each of the signal input components having a switch provided on a signal input line for receiving the AV signal from the signal processing control unit there through, the signal processing control unit having a common input terminal for receiving the AV signal from the desired signal output component and a common output terminal for delivering the AV signal to the desired signal input component, the signal output lines of the signal output components being connected to one another at a point connected to the common input terminal of the signal processing control unit, the signal input lines of the signal input components being connected to one another at a point connected to the common output terminal of the signal processing control unit, the

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switches being controllable for opening or closing to select one signal output component for feeding its AV signal to the signal processing control unit and to select one or more of the signal input components for receiving the AV signal from the signal processing control unit, wherein when more than one signal input component is selected than more than one on-off switch is turned on, wherein when more than one signal input component is selected than more than one on-off switch is turned on and more than one signal input component may be accessed at any given moment in time; and wherein said AV signal delivered from one signal output component can be supplied to said more than one signal input component at the same time by closing said more than one on-off switch.

However, Simpson teaches each of the signal output components (see fig.1, 118) has a separate and independent switch (see fig.2, 234) provided on a signal output line for delivering the AV signal to the signal processing control unit (see fig.2, (200, 206))) there through, each of the signal input components (see fig.1, 116) having an on-off switch (see fig.2, 214) provided on a signal input line for receiving the AV signal from the signal processing control unit (see fig.2, (200, 206)) there through, the signal processing control unit (200, 206) inherently having a common input terminal for receiving the AV signal from the desired signal output component and a common output terminal for delivering the AV signal to the desired signal input component (see fig.1, (106 and 116)), the signal output lines of the signal output components (see fig.1, (108, 118)) being connected to one another at a point connected to the common input terminal of the signal processing control unit (see fig.2, (200,206)), the signal input lines



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of the signal input components being connected to one another at a point connected to the common output terminal of the signal processing control unit (200, 206), the on-off switches (see fig.2, (214, 234)) being controllable for opening or closing to select one signal output component for feeding its AV signal to the signal processing control unit (200, 206) and to select one or more of the signal input components (see fig.1, (106, 116)) for receiving the AV signal from the signal processing control unit (see fig.2, (200, 206)), wherein when more than one signal input component is selected than more than one switch is turned on (see col.3 line 16-col.4 line 12); and the AV signal delivered from one signal output component (see fig. 2, 234) can be supplied to said more than one signal input component (such as video tape recorder of the video and audio components ) at the same time by closing said more than one switch (practical connect simultaneous the video and audio signal switch on to the video tape recorder's audio and video components and see col.5 lines 7-21).

Although Simpson does not explicitly disclose sending the output signal to more than one input device at closing more than one on-off switch, (official notice is taken) it was widely known to provide an output of an audio/video source selector to more than one (input device at the same time by closing more than one on-off switch (for example to a television and monitor and VCR). It would have been obvious to one of ordinary skill in the art the invention was made to provide such capability in the system of Simpson to allow a selected source to be sent to a plurality of input device at the same time by closing more than one on-off switch according to this common practice.

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Therefore, it would have obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Washikawa into Simpon to improve switching system that enables an operator to select device and have all the signals of the source device automatically provided to the destination device.

On the other hand, Marshak teaches that more than one signal input component (see fig.1, (93,99, 100,94 and 108,96)) is selected (see fig. 1, (31-33, and 53-56)) than more than one switch is turned on and more than one signal input component (see fig.1, (93,99, 100,94 and 108,96)) may be accessed at any given moment in time ( see col.2 line 46-col.3 line 61); wherein the audio signal from the signal output component (21-23, 41-44 and 61-62) can be recorded on a recording medium of at least two signal input components (see fig.1, (93,99, 100,94 and 108,96)) at the same time by closing the on-off switch of said signal input components(see fig.1, (93,99, 100,94 and 108,96)) at the same time and setting said signal input components in a recording mode ( see col.2 line 46-col.3 line 61).

Therefore, it would have obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Marshak into Washikawa as modified by Simpon to provide an improved and more user orientated audio mixer and recording.

Consider claim 4-5, Washikawa teaches the AV signal to be delivered from the signal output component (11R-14R) and fed to the signal input component (13-14) is an audio signal, and the signal processing control unit comprises an amplifier circuit for amplifying (24) the audio signal received by the common input terminal and feeding the resulting signal to a subsequent speaker (25), and a signal feed line for feeding there

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through the audio signal received by the common input terminal (see col.7 line 25-col.8 line 20); and each of the signal output components (11R-14R) and the signal input components (11P-14P) inherently has a control circuit (such as 33 (power source circuit) for controlling the on-off switch (21,32) thereof for opening or closing, and the control circuit prepares a control signal for the on-off switch (21,32) in response to a command from a control circuit included in the signal processing control unit (22, 31 and see col.4 15-col.5 line 65).

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rodriguez (US PAT. 4,095,261) is recited to show other related the component selection control system.

7. Any response to this action should be mailed to:

Mail Stop \_\_\_\_ (explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Facsimile responses should be faxed to:  
**(571) 273-8300**

Hand-delivered responses should be brought to:  
Customer Service Window  
Randolph Building

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401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lao,Lun-See whose telephone number is (571) 272-7501. The examiner can normally be reached on Monday-Friday from 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian, can be reached on (571) 272-7848.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 whose telephone number is (571) 272-2600.

Lao,Lun-See L.S.  
Patent Examiner  
US Patent and Trademark Office  
Knox  
571-272-7501

date 01-13-2006

  
**XU MEI**  
**PRIMARY EXAMINER**